

NOTICE OF PROPOSED CHANGES IN THE
REGULATIONS OF THE ALASKA BOARD OF FISHERIES

The Alaska Board of Fisheries proposes to adopt, amend, or repeal regulation changes in Title 5 of the Alaska Administrative Code, dealing with fishery and aquatic plant resources in the areas designated below, including the following regulations:

1. IN THE COOK INLET (INCLUDING THE KENAI PENINSULA, KENAI RIVER DRAINAGE, COOK INLET-RESURRECTION BAY SALTWATER, ANCHORAGE BOWL DRAINAGES, KNIK ARM DRAINAGES, SUSITNA RIVER DRAINAGE, AND WEST COOK INLET SPORT FISH MANAGEMENT AREAS) AND KODIAK AREAS FINFISH FISHERIES REGULATIONS; AND STATEWIDE KING AND TANNER CRAB FISHERIES REGULATIONS (EXCEPT SOUTHEASTERN ALASKA AND YAKUTAT AREAS):
 - A. In the **commercial, sport, guided sport, personal use, and aquatic plant fisheries:** fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, and harvest limits; harvest levels, thresholds, goals, and quotas; definitions; bycatch provisions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; registration areas (including nonexclusive, exclusive and superexclusive registration areas); recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; landing requirements; provisions for development and allocation among beneficial uses; guiding principles; provisions to regulate, require, restrict or prohibit the retention, tendering, transportation, dispatch, possession, sale, release, or purchase of fish; methods of release; registration, licensing, reporting, and other requirements for sport fishing guides and operators, guided anglers, catchers, processors, buyers, and transporters; onboard observer requirements; fish storage and inspection requirements.
 - B. In the **subsistence fisheries:** identification of subsistence uses; fishing seasons, periods, and opening and closing times; bag, possession, size, sex, age, and harvest limits; definitions; districts, subdistricts, sections, subsections, areas, and other management boundaries; locations open and closed to fishing; methods and means; gear and vessel restrictions, including marking and operational requirements; registration and permit requirements; recordkeeping and marking requirements; management plans for conservation and development, including escapement, inriver, and other management goals; landing requirements; provisions for development and allocation among beneficial uses and users, including creating and regulating tier II fisheries; guiding principles; identify customary and traditional uses of fish stocks; determine amounts reasonably necessary for subsistence uses; establish, regulate, change, or adjust subsistence and personal use fisheries; amend legal gear for all shellfish in the Bering Sea Area north of Cape Newenham.
2. The following topic is added to the Lower Cook Inlet Finfish Meeting in Homer, November 30-December 3, 2016:

- A. IN THE STATEWIDE PROVISIONS FOR SPORT FISHING SERVICES AND SPORT FISHING GUIDE SERVICES: Consider amending regulations for sport fishing services and sport fishing guide services in salt water to implement and interpret requirements in statute, amending regulations for sport fishing services and sport fishing guide services in fresh water, and amending fresh and salt water sport fishing guide and operator reporting regulations and correcting certain inconsistencies, ambiguities, errors, and omissions (*newly assigned Proposal 277 which was accepted at the 2016 Work Session, October 2016*).
3. The following topic is added to the Kodiak Finfish meeting in Kodiak, January 10-13, 2017:
 - A. IN THE WESTWARD COMMERCIAL TANNER CRAB FISHERY: Consider amending the Bering Sea District Tanner crab harvest strategy (*newly assigned Proposal 278 which was a board generated proposal at the 2016 Work Session, October 2016*).
 4. The following topic is added to the Upper Cook Inlet Finfish meeting in Anchorage, February 23-March 8, 2017:
 - A. IN THE KUSKOKWIM RIVER SUBSISTENCE SALMON FISHERY: Consider amending regulations for when 4-inch mesh set gillnets may be used during the early season king salmon subsistence fishery closure (*newly assigned Proposal 279 which was a board generated proposal at the 2016 Work Session, October 2016*).
 5. The following topics are added to the Statewide King and Tanner Crab and Supplemental Issues meeting in Anchorage, March 20-24, 2017:
 - A. IN THE GROUND FISH FISHERY GENERAL SPECIFICATIONS: Consider reducing waters closed for the protection of Steller sea lions during the parallel Pacific cod fishery in the Chignik Area (*Proposal 274, previously postponed at the 2015 Alaska Peninsula/Chignik/Aleutian Islands-Bering Sea Pacific Cod meeting as Proposal 9*).
 - B. IN THE KUSKOKWIM AREA SUBSISTENCE SALMON FISHERY: Consider
 - i. Creating a Tier II subsistence king salmon fishery in the Kuskokwim Area (*Proposal 275, previously postponed at the 2016 Arctic / Yukon / Kuskokwim Finfish meeting as Proposal 95*).
 - ii. Establishing a permit system in the Kuskokwim Area for regulating the king salmon subsistence fishery (*Proposal 276, previously postponed at the 2016 Arctic / Yukon / Kuskokwim Finfish meeting as Proposal 222*).

- C. IN THE ALEUTIAN ISLANDS SUBSISTENCE SALMON FISHERY: Consider decreasing the number of sockeye salmon that may be retained in the subsistence salmon fishery in the Unalaska Bay District (*newly assigned Proposal 280 which was accepted at the 2016 Work Session, October 2016*).

At its 2016 Work Session, the board decided to convene a joint meeting of its Habitat and Legislation committees to review a request of the board to recommend to the Legislature that it consider placing elements of the Sustainable Salmon Fisheries Policy into Alaska Statute Title 16 habitat permitting laws. These committees will convene November 29, at 7pm in Homer at the Alaska Islands and Oceans Visitor Center.

For a copy of the proposed regulation changes contact the Alaska Department of Fish and Game, (ADF&G) Boards Support Section, P.O. Box 115526, Juneau, AK 99811-5526, (907) 465-4110, or www.boardoffisheries.adfg.alaska.gov.

Anyone interested in, or affected by, the subject matter contained in this legal notice should make written or oral comments to have their views considered by the board. You may comment on the proposed regulation changes, including the potential costs to the private persons of complying with the proposed changes, by submitting written comments limited to no more than 100 single-sided or 50 double-sided pages to the ADF&G, Boards Support Section, at P.O. Box 115526, Juneau, AK 99811-5526. Additionally, the Boards Support Section will accept comments by facsimile at (907) 465-6094, by email to dfg.bof.comments@alaska.gov (PDF format only), or online at www.boardoffisheries.adfg.alaska.gov. Individuals and advisory committees directing public comment at an ADF&G office or personnel other than as prescribed above do not have assurance their comments will be received and entered as public comment.

Comments are generally due no later than two weeks prior to the meeting during which the topics are considered. Unless otherwise specified for a particular meeting in a published notice, written comments exceeding the page limit from any one individual or group relating to proposals at any one meeting will not be accepted. Written comments limited to 10 single-sided or 5 double-sided pages in length from any one individual or group are accepted after the two-week deadline and inserted in board member workbooks at the beginning of the meeting, and are also accepted during the meeting and until the board begins proposal deliberations.

ADDITIONAL PUBLIC COMMENT STANDARD:

Once a meeting begins and during a meeting written comments from any one individual or group may be submitted by hand delivery at any time if the required number of copies are provided (typically in excess of 25 copies). Individuals not in attendance at a meeting may fax comments to 907-465-6094. As a practical matter, comments submitted after the board begins deliberations on relevant proposals are likely to receive less consideration than comments submitted earlier.

Once proposal deliberations begin, the board will **ONLY** accept written comments on the topics being considered at the meeting from any one individual or group that are not more than five single-sided pages, or the equivalent number of double-sided pages, unless specific information is requested by the board that requires more pages than allowed under this standard.

Each meeting will generally start at 8:30 a.m. on the first day of the meeting dates below unless the board directs a different start time. The public oral testimony period of each regulatory meeting begins after staff reports and continues until everyone who has signed up on a timely basis and is present at the meeting has an opportunity to be heard. The board will take oral testimony only from those who register before the cut-off time announced by the board chair at each meeting. The length of oral statements may be limited to three minutes or less. Additional public hearings with board committees may be held during the meeting.

TENTATIVE MEETING SCHEDULE

Lower Cook Inlet Finfish

November 30-December 3, 2016

Alaska Islands and Oceans Visitor Center, Homer

Comment deadline: November 15, 2016

Kodiak Finfish

January 10-13, 2017

Best Western Kodiak Inn, Kodiak

Comment deadline: December 27, 2016

Upper Cook Inlet Finfish

February 23-March 8, 2017

Sheraton Hotel, Anchorage

Comment deadline: February 9, 2017

Statewide King and Tanner Crab and Supplemental Issues (Except Southeast and Yakutat)

March 20-24, 2017

Coast International Inn, Anchorage

Comment deadline: February 27, 2017

Any changes to meeting locations, dates or times, or rescheduling of topics or subject matter will be announced by news release. Please watch for these announcements in the news media or call (907) 465-4110. Please carefully review the **PROPOSAL INDEX** available for the meeting for specific proposals to be addressed by the board. Copies of the proposal indices are in the proposal book, available online at <http://www.boards.adfg.state.ak.us>, and at the relevant meeting. The board may also include accepted agenda change requests as new proposals following its October 18-20, 2016 work session. Any additional proposals will be noticed and made available online and upon request.

Anyone interested in or affected by subsistence, personal use, commercial fishing, sport, guided sport, or aquatic plant regulations are hereby informed that the Board of Fisheries may consider any or all of the subject areas covered by this notice. Under AS 44.62.200(b), the board may review the full range of activities appropriate to any of the subjects listed in this notice. The board may make changes to the subsistence, personal use, sport, guided sport or commercial fishing regulations as may be required to ensure the subsistence priority in AS 16.05.258. On its own motion, after the public hearing, the board may adopt, amend, reject, supplement, or take no action

on these subjects without further notice. In addition, the board may adopt other regulations necessary to implement, administer, or enforce the regulations adopted. **THE BOARD IS NOT LIMITED BY THE SPECIFIC LANGUAGE OR CONFINES OF THE ACTUAL PROPOSALS THAT HAVE BEEN SUBMITTED BY THE PUBLIC OR ADF&G.** The language of the final regulations may be different from that of the proposed regulations. **YOU SHOULD COMMENT DURING THE TIME ALLOWED IF YOUR INTERESTS COULD BE AFFECTED.**

If you are a person with a disability who needs special accommodation in order to participate in the proposed regulation process, please contact Glenn Haight at (907) 465-4110 no later than two weeks prior to the beginning of each meeting to ensure necessary accommodations can be provided.

Statutory Authority: AS 16.05 - AS 16.20, AS 16.40

Statutes Being Implemented, Interpreted, or Made Specific: AS 16.05 - AS 16.20, AS 16.40

Fiscal Information: The proposed regulatory actions are not expected to require an increased appropriation.



Glenn Haight, Executive Director
Alaska Board of Fisheries

10/27/2016

Date

ADDITIONAL REGULATIONS NOTICE INFORMATION

(AS 44.62.190(g))

1. Adopting Agency: Alaska Board of Fisheries.
 2. General subject of regulations: IN THE COOK INLET (INCLUDING THE KENAI PENINSULA, KENAI RIVER DRAINAGE, COOK INLET-RESURRECTION BAY SALTWATER, ANCHORAGE BOWL DRAINAGES, KNIK ARM DRAINAGES, SUSITNA RIVER DRAINAGE, AND WEST COOK INLET SPORT FISH MANAGEMENT AREAS) AND KODIAK AREAS FINFISH FISHERIES REGULATIONS; AND STATEWIDE KING AND TANNER CRAB FISHERIES REGULATIONS (EXCEPT SOUTHEASTERN ALASKA AND YAKUTAT AREAS).
 3. Citation of regulations: 5 AAC 01 - 5 AAC 77.
 4. Department of Law file number (if any):
 - JU2016200584 – Lower Cook Inlet Finfish
 - JU2016200585 – Kodiak Finfish
 - JU2016200586 – Upper Cook Inlet Finfish
 - JU2016200587 – Statewide King and Tanner Crab and Supplemental Issues
 5. Reason for proposed actions: Implement, interpret, or make specific the provisions of AS 16.05 - AS 16.20, AS 16.40.
 6. Appropriation/Allocation: Natural Resources and all RDUs
 7. Cost of implementation to the state agency and available funding: It is not possible to estimate the costs. However, these actions are not expected to require any additional costs.
 8. The name of the contact person for the regulations:

Glenn Haight, Executive Director
Alaska Board of Fisheries
PO Box 115526
Juneau, AK 99811-5526
(907) 465-4110
Email: glenn.haight@alaska.gov
 9. The origin of the proposed action:
 - staff or state agency
 - general public
 10. Date: October 27, 2016
- Prepared by:
Glenn Haight, Executive Director
Alaska Board of Fisheries
(907) 465-4110